

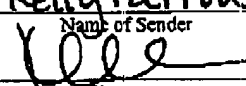
REMARKS

Applicant has carefully studied the Office Action of 21 July 2003 and offers the following remarks.

Claims 1-23 were rejected under 35 U.S.C. § 103 as being unpatentable over Snyder et al. in view of Baker. Applicant respectfully traverses. The present application was filed on 03 July 2001, after the amendments of the AIPA to § 103(c). Baker is commonly owned with the present application and was at the time of filing of the present application. Therefore, the provisions of § 103(c) are applicable, which provide that Baker is not available as prior art.

As proof of the commonly owned nature of the instant application with Baker, Applicant refers the Patent Office to the face of Baker, which indicates that Baker issued to Nortel Networks Limited. The present application was assigned to Nortel Networks Limited by an assignment recorded at reel 011978, frame 0692. If further proof is required, Applicant would be willing to provide such.

The rejections all rely to a greater or lesser extent on Baker. Since Baker is not available as prior art, the rejections are improper. Applicant requests withdrawal of the § 103 rejections at this time and claim allowance at the Examiner's earliest convenience.

CERTIFICATE OF TRANSMISSION	
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Examiner: Ly Ngh H. Art Unit 2686 Fax: 703-872-9313	
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9/17/03	Date of Transmission

Respectfully submitted,

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